

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

PROPOSED TEXT

TITLE 13, CALIFORNIA CODE OF REGULATIONS, DIVISION 2, CHAPTER 6.5
AMEND ARTICLE 5, SECTION 1226

LEAVING DRIVER'S COMPARTMENT (CHP-R-06-19)

Existing Text:Times New Roman 12 point font.
Additions:Times New Roman 12 point font with single underline.
Deletions:~~Times New Roman 12 point font with strikethrough.~~

TITLE 13, CALIFORNIA CODE OF REGULATIONS DIVISION 2, CHAPTER 6.5 ARTICLE 5, SECTION 1226 IS AMENDED TO READ:

§1226. Leaving Driver's Compartment.

(a) Leaving Driver's Compartment. When a pupil is aboard, the driver shall not leave the driver's compartment without first stopping the engine, effectively setting the parking brake, placing the transmission in first or reverse gear or park position, and removing the ignition keys, which shall remain in the driver's possession. On vehicles with automatic transmissions which do not have a park position, the transmission shall be placed in neutral.

(b) Alternate Method of Compliance. As an alternative to the requirements of subsection (a), the driver of a school bus may leave the driver's compartment without stopping the engine for the sole purpose of operating a school bus while providing a degree of climate control for special needs students. This alternate method of compliance is subject to all of the conditions listed in subsections (1) through (4) and subsection (c):

(1) Additional Requirements. The following requirements shall apply to both wheelchair equipped and non-wheelchair equipped school buses:

(A) The school bus shall be equipped with a master interlock control key-type switch to engage and disengage the interlock system and shall function so the key can be removed from the switch when the interlock system is engaged. The master interlock key-type switch may be

configured so that when the interlock key is removed, the engine automatically idles up to a “fast-idle” position.

(B) The driver’s seat belt shall be equipped with a continuous warning device which is audible to the driver when the driver’s seat belt is released and the master interlock key-type switch is in the disengaged (interlock system released) position. The seat belt warning device shall deactivate when the master interlock key-type switch is turned to the engaged position.

(C) The door warning device required by Section 1281.1 need not sound when the interlock system is engaged and the wheelchair loading door is open.

(2) Driver Requirements. The following requirements shall apply to the school bus driver:

(A) The driver shall set the parking brake and shall place the transmission of the school bus in the “Park” or “Neutral” position before activating the key-type interlock switch.

(B) On vehicles with transmissions which do not have a “Park” position, the transmission shall be interlocked in the “Neutral” position.

(C) The driver shall turn the interlock’s key-type switch to the engaged position, and remove the interlock key, which shall remain in the driver’s possession anytime the driver leaves the driver’s compartment while students are on-board.

1 The driver of a school bus equipped with a wheelchair lift may then load, unload, secure, or release pupils in wheelchairs.

2 The driver of a school bus equipped with a wheelchair lift shall remain in attendance of the wheelchair lift whenever loading or unloading pupils in wheelchairs, and shall not move away from the school bus to such a distance that the driver could not return to the driving controls within 10 seconds in an emergency.

3 The driver of a school bus not equipped with a wheelchair lift may then load and unload pupils. The driver shall not move away from the school bus to such a distance that the driver could not return to the driving controls within 10 seconds in an emergency.

4 Each driver shall test the operation of the interlock each day, including all required functions, prior to transporting pupils, and shall report on its condition as part of the required daily vehicle condition report pursuant to Section 1215.

(c) Motor Carrier Requirements. The Motor Carrier shall ensure that each driver receives detailed instruction on the proper sequence of events relating to the operation of the interlock

device, and shall demonstrate that he or she is proficient with the proper use of the special equipment of the school bus. The motor carrier shall ensure it is in compliance with Section 1229, *Driver Proficiency*, and 1234(b), *Required Records of Motor Carriers*, and shall annotate its driver proficiency records to specifically reference this section in the record of every driver who operates a school bus under the terms of this section.

Note: Authority cited: Section 34501.5 and 34508 Vehicle Code. Reference: Section 34501.5 Vehicle Code; and 39831 Education Code